

**REGULAR CITY COUNCIL MEETING
FRISCO MUNICIPAL COMPLEX
8750 MCKINNEY ROAD
COUNCIL CHAMBERS
FRISCO, TEXAS 75034
5:30 P.M.**

June 17, 2003

MINUTES

1. Call to Order

Those present were:

Mayor Simpson
Mayor Pro-Tem Maso
Deputy Mayor Pro-Tem Lafata
Council member Allen
Council member West
Council member Joyner
Council member Felker

Staff present were:

City Manager George Purefoy
Deputy City Manager Henry Hill
Assistant City Manager Scott Young
Assistant City Manager Jason Gray
Senior Administrative Assistant Deanna Quigley
City Attorney Richard Abernathy
Cissy Sylo, Director of Engineering Services (left at 6:00 pm)
Frank Jaromin, City Engineer arrived at (6:30 pm)
Director of Planning & Development Services John Lettelleir

2. Recess into Closed Session in compliance with Section 551.001 et. seq. Texas Government Code, to wit:

Mayor Pro Tem Maher Maso moved to recess into Closed Session at 5:30 p.m.
Council member Allen seconded the Motion. Motion carried. Vote: 6-0.

- a) Section 551.087. Deliberation regarding commercial or financial information that the City has received from a business prospect and to deliberate the offer or other incentives to a business prospect.
- b) Section 551.072. To deliberate the purchase, exchange, lease or value of real property located:

- i. south of Eldorado Parkway, north of Stonebrook Parkway, east of Teel Parkway, and west of SH 289;
 - ii. south of FM 3537, north of Warren Parkway, east of Dallas North Tollway, and west of Hillcrest Road.
- c) Section 551.071. Meeting with City Attorney regarding a matter(s) in which the duty of the City Attorney under the Texas Disciplinary rules of Professional Conduct of the State Bar of Texas conflicts with the Open Meetings Act regarding:
 - i. boundary issues with McKinney and The Colony, and
 - ii. ordinances regarding the regulations of CSST
- d) Section 557.071. Meeting with City Attorney regarding:
 - i. Cause No. 2003-60101-393 Vallurupalli vs. City of Frisco, Texas and the City of Frisco Board of Adjustment;
 - ii. Cause No. 5-643-02; *City of Frisco, Texas vs. H. Roger Lawler and Frisco Master Plan, L.P.*; In County Court at Law No. 5, Collin County, Texas;
 - iii. Cause No. 366-891-02; *Steve Nichols, et al. vs. Kathleen A. Seej*; In the 366th Judicial District Court of Collin County, Texas;
 - iv. Cause No. 02-40665-DML-11; *In re Denton County Electric Cooperative, Inc. d/b/a CoServ Electric, et al*; In the United States Bankruptcy Court for the Northern District of Texas, Fort Worth Division (another law firm is handling);
 - v. Cause No. 01-48684-DML-11; *In re COSERV, L.L.C. d/b/a CoServ Communications et al*; In the United States Bankruptcy Court for the Northern District of Texas, Fort Worth Division;
 - vi. *Adrienne Epstein v. The Board of Adjustment of the City of Frisco*; Cause No. 199-02438-01; In the 199th Judicial District Court, Collin County, Texas;
 - vii. Civil Action No. 2-02CV-68; *Lawrence Cousino, Individually and as Administrator of The Estate of Laura Cousino, et al. vs. The City of Frisco, Texas, et al.*; In the United States District Court, Eastern District of Texas, Sherman Division (another law firm is handling);
 - viii. Case No. 02-1460; *In re Birch Telecom, Inc., Chapter 11*; In the United States Bankruptcy Court for the District of Delaware.
- e) Section 551.074. Evaluation of City Manager.

3. Reconvene into Regular Session and take any action necessary as a result of the Closed Session.

Mayor Pro-Tem Maso moved to reconvene into Regular Session at 6:30 p.m. Council member Allen seconded the Motion. Motion carried. Vote: 6-0. There was no action taken as a result of the Closed Session.

4. Proclamations.

No Proclamations were given.

5. Invocation.

Brad Aldrich of Water's Edge Lutheran Church offered the Prayer.

6. Pledge of Allegiance.

Scout Troop 51 of Frisco led the audience in the Pledge of Allegiance.

Scout Master Mark Cottam

Brandon LaJore

Alex Cottam

Sean Hollomon

Alex Peebles

Conrad Verser

Kenneth Priesmeyer

7. Citizen Input.

Citizen Input began at 8:35 pm.

The following Citizens were present regarding Hickory Springs Subdivision (Fossil Ridge/Hidden Springs/Rolling Brooks area). Their concerns were the high volume of speeding traffic that goes through their neighborhood. They are asking the City to help in coming up with a solution (gate, speed bumps...) to slow down speeders:

Pat Bradley

Alison Lowe

Sheila Williams

Lisa Bloomer

8. Reports.

- a) **Update on Design of City Hall and Library. (HHPA) (City Manager's Office/AG)**

Nestor Batinno of HHPA was present to give a brief explanation of the progress on the development of the new City Hall, City Council Chambers and Library.

b) Public Works Monthly Report

c) Monthly Tax Report

Director of Administrative Services, Nell Lange, was present to answer questions regarding the monthly tax report.

Regarding delinquent taxes, Ms. Lange stated that as of July 1st that any individuals who have delinquent taxes would also have to pay the attorney fees that occur when taxes are late.

d) Monthly Financial Report (Administrative Services)

Nell Lange was present to answer any questions. Mayor Pro-Tem Maso asked to have the hotel/motel tax report added for the next meeting.

e) Project Status Tracking Reports

9. Consent Agenda:

The Consent Agenda was considered for approval. Council member Allen moved to pull item 9I. Deputy Mayor Pro-Tem Lafata seconded the Motion. Motion carried. Vote: 6-0. Deputy Mayor Pro-Tem Lafata moved to approve items 9A through 9H. Council member Felker seconded the Motion. Motion carried. Vote: 6-0.

After discussion, Director of Administrative Services, Nell Lange, recommended tabling Item 9I. Council Member Allen moved to table 9I until staff is ready to put this item back on the agenda. Council Member Felker seconded the motion. Motion carried. Vote: 6-0.

A) Approved the Minutes of the Regular City Council Meeting held on June 3, 2003. (City Secretary)

B) Approved Tax Refunds over \$500. (Tax Department)

C) Awarded the Bid 0304-065, Cab and Chassis with Mobile Mixer. (Purchasing)

D) Adoption of **Resolution 03-06-119R** authorizing the City Manager to execute a Memorandum of Understanding by and between the City of

Frisco and the North Texas Municipal Water District regarding alterations to the City Solid Waste System. (Recycling)

- E) Adoption of **Resolution 03-06-120R** authorizing the City Manager to enter into an Agreement for Engineering and Design Surveying services with RLK engineering, LLC, for the design of Lebanon Road in the amount of \$ 24,700.00 between Whitefish Lake Drive and Palmetto Drive. (Engineering)
- F) Awarded the bid to Bowles Construction in the amount of \$745,100.00 and act upon a **Resolution 03-06-121R** authorizing the City Manager to enter into an Agreement for Construction Services for a 20" Preston Road Waterline, contingent upon obtaining the necessary easements. (Engineering)
- G) Adoption of **Resolution 03-06-122R** authorizing the City Manager to execute a tower site lease agreement with Cingular Wireless, located on the elevated water storage tank at the intersection of Legacy Road and Lebanon Road. (City Manager's Office/KH)
- H) Payment of the Section 380 Sales Tax Grant to the Centre at Preston Ridge Shopping Center in the amount of \$51,998.53. (City Manager's Office/ KH)
- I) Tabled Resolution authorizing the City Manager to execute an Agreement for providing Consulting Services to prepare a Needs Assessment for Financial Software. (Administrative Services)

10. Legislative Agenda:

The Legislative Agenda was considered for approval. Council member Allen moved to remove the item 10C from the table. Mayor Pro-Tem Maso seconded the Motion. Motion carried. Vote: 6-0. Planning and Zoning Director John Lettelleir was present to answer questions regarding 10C. Council member Allen moved to approve item 10C. Deputy Mayor Pro-Tem Lafata seconded the Motion. Motion carried. Vote: 6-0.

A) The following items are related to Chapel Creek Zoning Case:

- i. Adoption of **Ordinance No. 03-06-50** therein rezoning 0.6± acre located on the south side of Wade Boulevard, 1,150± feet east of Parkwood Boulevard from Planned Development-79-Single Family to Planned Development-78-Multifamily-1
- ii. Adoption of **Ordinance No. 03-06-51** therein rezoning 1.0± acre located on the north side of Wade Boulevard, 1,275± feet east of Parkwood Boulevard from Commercial-2 to Planned

Development-79-Single Family. Neighborhood #23. Applicant(s):
Rudman Partnership. Zoning Case Z03-0011 (Planning)

- B) Adoption of **Ordinance No. 03-06-52** therein annexing 361.8+/- acres on the south side of US 380, 2300+/- feet east of Preston Road. Applicant(s): Preston 380/153 Joint Venture (A03-0016) (Planning & Development)
- C) Adoption of **Ordinance No. 03-06-53** therein granting a Specific Use Permit for a Child Day Care Center on 2.2+ acres 1,000+ feet west of Teel Parkway, 300+ feet north of Main Street. Zoned Commercial-1. Neighborhood #44. Applicant(s): Children's Development Resources, Inc. Specific Use Permit SUP03-0005 (Planning)

Regular Agenda:

11. Public Hearing: Zoning Case ZA2002-0028. A request to amend the Comprehensive Zoning Ordinance to establish standards for Alternative Subdivision Design for properties zoned Single Family-4, Single Family-5 and other properties where Single Family-4 and Single Family-5 are permitted and not in conflict with the proposed standards and consider and act to instruct staff to prepare an Ordinance of the same. Tabled 4/15/03. Applicant(s): City of Frisco (Planning & Development Department)

This request is to amend the Comprehensive Zoning Ordinance to establish standards for Alternative Subdivision Design for properties zoned Single Family-4, Single Family-5 and other properties where Single Family-4 and Single Family-5 are permitted and not in conflict with the proposed standards. Such standards may include, but are not limited to, the opportunity to provide open space and preserve vegetation and natural features without compromising density; allow varying lot sizes and housing types (i.e. single-family, townhomes, duplexes, etc.) to promote diversity in residential neighborhoods; and allow density bonuses when large lots are provided in the subdivision. Planning & Zoning Vote: 4-1, with Commissioner Sanders voting in opposition to the motion, because he did not feel that the density bonus would achieve the objectives of the Zoning case.

RECOMMENDATION:

The Planning & Zoning Commission recommended approval as follows. The Planning & Zoning Commission's changes are indicated with ~~strikethroughs~~ to show deletions and underlines to show additions. In addition, the Planning & Zoning Commission requested that staff engage in additional discussions with the Fire Department and Building Inspections regarding setbacks for one- and two-story dwelling units.

Article IV SITE DEVELOPMENT REQUIREMENTS

SECTION 11 ALTERNATIVE SUBDIVISION DESIGN PROCEDURE

11.01 General Purpose and Description

This section contains the regulations for alternative subdivision design procedure. These regulations are supplemented and qualified by additional general regulations appearing elsewhere in this Ordinance, which are incorporated as part of this section by reference.

The intent of this section is to provide a procedure for a voluntary alternative development pattern in the SF-4 and SF-5 Residential Zoning Districts, as well as other applicable districts as defined in this ordinance, in order to permit flexibility in building types and subdivision design, and encourage the provision of supporting the Frisco Millennium Plan (Comprehensive Plan) in the development of diverse residential developments under conditions of approved Preliminary and Final Plats.

11.02 Applicable Zoning Districts

The applicable zoning districts in which the alternative subdivision design procedure may be used and the alternative development standards that may be permitted through the use of the procedure shall be as follows:

1. The Alternative Subdivision Design Procedure may be utilized for the following:
 - a. Properties zoned SF-4 and SF-5.
 - b. Properties contained in Planned Developments where SF-4 and SF-5 are permitted and the development standards are not in conflict with the standards contained herein. The Alternative Subdivision Design Procedure only applies to portions of Planned Developments that contain SF-4 and SF-5 zoning.
 - c. Properties zoned MF-1 and MF-2 (minimum SF-5 density).
 - d. Properties in a Planned Development where MF-1 or MF-2 are permitted and the development standards are not in conflict with the standards contained herein. The Alternative Subdivision Design Procedure only applies to portions of Planned Developments that contain MF-1 and MF-2 zoning (minimum SF-5 density).
2. This procedure may be used to modify the sizes of some or all of the lots, as described below.

Lots located adjacent to property with an approved, valid preliminary plat must meet minimum lot size standards in accordance with the Required Minimum Lot Area of District column in the table below unless the boundary they are adjacent to:

- a. Adjoins a more dense residence district;
- b. A minimum 50-foot wide green space buffer is provided between the proposed alternative subdivision design and the adjacent property. Adjacent lots within the Alternative Subdivision Design development must front or side the green space buffer; or
- c. Is separated by a roadway with 90-feet of right-of-way or greater.

All eligible lots may be modified in size in accordance with the table below.

Zoning District	Required Minimum Lot Area of District	Permitted Minimum Lot Area of eligible lots of Alternative Subdivision Design Procedure for single-family developments
<u>SF-4</u>	8,500 square feet	2,500 square feet for Townhome lots, 3,500 <u>4,500</u> sf for single-family, <u>and 5,000 square feet for duplex lots (2,500 square feet per dwelling unit)</u>
<u>SF-5</u>	7,000 square feet	2,500 square feet for Townhome lots, 3,500 <u>4,000</u> sf for single-family <u>and 5,000 square feet for duplex lots (2,500 square feet per dwelling unit)</u>

Note: Properties zoned Multifamily-1 or Multifamily-2 would develop utilizing the Single Family-5 standards listed above.

11.03 Procedures and standards

1. *Application.* An application for the Alternative Subdivision Design Procedure shall be submitted at the time of Preliminary Plat application. The alternative subdivision design will be reviewed under the provisions outlined in Section 5.01, Preliminary Plat, of the Subdivision Ordinance, as it exists or as amended as well as provisions outlined in this section.
2. *Density Calculations.* The Alternative Subdivision Design Development shall not contain more units than would be permitted under the regulations of the residence district or districts within which the development lies unless performance requirements are met for density bonuses (see density bonuses Section 11.04). The net area is determined by the gross area of the development minus the following:

- a. Land within the 100-year floodplain elevation (excluding reclamation);
- b. Areas located within the Waters of the U.S., as defined by the U.S. Army Corps of Engineers;
- c. Land that is utilized for right-of-way of minor, major and highway/Tollway thoroughfares as indicated on the City's Thoroughfare Plan;
- d. Land that is utilized for major utility easements;
- e. Land for public parks;
- f. Land required for screening of lots backing to thoroughfares;
- g. Cemeteries; or
- h. Other lands determined undevelopable by any other City ordinance, present or future.

For density calculations, the following ratio shall be used:

Zoning	Dwelling Units per Acre
SF-4	3.38
SF-5	4.11

3. *Open space standards.*

- A. Alternative Subdivision Design Developments may incorporate an open space element into the subdivision design. The open space areas shall provide opportunities to preserve the following natural features of the land, ~~such as~~:

1. Bodies of water;
2. Additional Ecological buffers including around creek(s), tributary(ies), wetland(s) and sensitive wildlife habitat(s);
3. Historic, cultural, and archaeological sites;
4. Ridges and topographic features;
5. Viewsheds and view corridors;
6. Greenways for connecting Green Space areas;
7. Restored prairies, fields, meadows, and riparian habitats;
- ~~8. Newly created open space for social and recreational purposes;~~
8. Existing or ~~newly created~~ agricultural areas such as community gardens, hayfields, orchards, pastures and paddocks, excluding new commercial livestock operations.

B. Open Space Development Standards

1. Minimum 30% of the net area of the development shall be open space, unless dictated by natural features as defined in Section 11.03 (3)(A).
2. No open space areas shall be less than one-acre in size, except for areas specifically designed as village greens or trail links.
3. Open space areas should be contiguous and with a configuration that does not fragment the open space into remnant parcels which are not usable for activity, and which impede the function of natural systems. Non-contiguous open space areas (i.e. village greens) may be allowed, granted each area is linked by trails, pedestrian paths, or sidewalks.
4. Where applicable, open space areas should be connected to similar facilities off site, such as other open space areas, parks, and trails.
5. Open space areas, village greens and other common areas shall be designated as such on the final plat, and will be permanently protected from further subdivision and development. This shall be stated on the filed plat.
6. Open space shall be evenly distributed within each phase of the development, unless unique site characteristics exist on the property or as otherwise approved in a Developer's Agreement.
7. When fencing is used on Residential lots adjacent to designated open space areas, shall have consistent fencing shall be open fencing such as wrought iron or other ornamental fencing. Chain-link fencing or similar is prohibited. Fence height shall be a maximum of six (6) feet.
8. Residential streets: Whenever possible, streets with "T" intersection should terminate at open space areas to maximize view corridor from the street.
9. Minimum width: The widths of Open Space areas, greenways and buffers should vary. At a minimum the width should be sufficient to accommodate a path, given the existing terrain, the center of which is at least 25-feet from any property line.
10. Orientation of homes to Open Space: Alternative Subdivision Design developments should be designed so that no more than 50% of the perimeter of the open space has lots that back to or side open space.
11. Open space areas should be designed so that all areas are visible from a public/private street(s).
12. The Planning & Zoning Commission and/or City Council may prohibit the creation of any common open space area if it is determined that such area would be a security or safety concern, difficult to maintain, or an unreasonable financial burden to the homeowners association.

C. Specifications for Village Greens and other open space areas.

1. Village Greens must be a minimum of 10,000 square feet.
2. Village Greens must have a minimum dimension of 50-feet.
3. Village Greens must be bound by a minimum of three streets.
4. Adjacent structures must front the Village Green on at least three sides.

5. Village Greens must have edges defined by trees and street furnishings (i.e. park benches, etc.).
4. *Duplexes.* The Alternative Subdivision Design Procedure may authorize duplexes in the SF-4 and SF-5 zoning districts. Duplexes shall be restricted to interior corner lots with frontage on two residential streets. Each duplex unit would be required to face the alternate street. Duplexes shall count as two units towards the overall density calculations. The maximum number of units permitted shall be calculated as established in Section 11.03 (2) of this Ordinance.
5. *Townhomes.* The Alternative Subdivision Design Procedure may authorize a limited amount of townhome units within single-family zoning districts. Townhomes shall be developed around or within 1,200-feet of a courtyard, village green, or other open space area as defined in this ordinance. Townhomes shall not exceed 15% of the total units towards the overall density calculations. The maximum number of units permitted shall be calculated as established in Section 11.03 (2) of this Ordinance.
6. *Setbacks.* Front and rear yard setbacks shall be as specified by the Comprehensive Zoning Ordinance or Planned Development. Minimum side yard setbacks for Alternative Subdivision Design lots may be adjusted according to the following criteria, provided that it does not conflict with any development standards outlined in a Planned Development:
 - a. Side yard setbacks for single-story dwelling units and story-and-one-half story dwelling units may be reduced to five (5) feet.
 - b. Two-story dwelling units and greater shall maintain the required seven (7) foot minimum side yard setback.
 - c. At no such time shall the minimum distance between residential structures be less than ten (10) feet.
 - d. Minimum side yard setback on corner lots adjacent to side street shall be fifteen (15) feet.
 - e. Only lots that utilize the reduced lot size are eligible for reduced setbacks. Large lots (as defined in Section 11.05(1)) and lots adjacent to existing residential development must maintain the required setbacks of the base zoning district.
 - f. The above standards do not apply for residential units with shared common walls.
 - g. A note shall be included on the final plat outlining these setback criteria.
7. *Minimum Dwelling Unit Size.* The Alternative Subdivision Design Procedure may also allow a reduced minimum dwelling unit size. Dwelling unit (DU) size may be reduced in accordance with the table below.

8.

Zoning District	Minimum DU Size	Reduced DU Size
SF-4	1,800 sq. ft.	1,000 <u>1,200</u>
SF-5	1,800 sq. ft.	1,000 <u>1,200</u>
TH	1,000 sq. ft.	Same
2F	1,000 sq. ft.	Same

11.04 Density Bonus Options

1. *Large Lot Density Bonus.* Developments that incorporate large lots (20,000 square feet or larger) are eligible for a large lot density bonus. The large lot density bonus shall comply with the following standards:
 - a. Large lots will receive a density bonus of 1:1, not to exceed a 10% increase in total lot yield. Lots will be designated on the final plat as “Large Lots” and will be ineligible for replat for the purposes of subdividing. This shall be stated on the filed plat.
 - b. Large lot density bonus shall be distributed within each phase of the development, unless unique site characteristics exist on the property or as otherwise approved in a Developer’s Agreement.
2. *Density Bonus for additional open space and buffer areas.* Developments that incorporate open space in excess of 30% will be eligible for an open space density bonus. The open space density bonus shall comply with the following standards:
 - a. Additional open space areas will qualify for a density bonus of 1: 1, not to exceed a 5% increase in total lot yield (i.e. providing 33% open space will allow a 3% increase in total lot yield, etc.).
 - b. Open space density bonus shall be distributed within each phase of the development, unless unique site characteristics exist on the property or as otherwise approved in a Developer’s Agreement.

11.05 Developer’s Agreement Required

A Developer’s Agreement would be required for multi-phased developments that do not evenly distribute open space, large lots or other elements throughout each phase of the development. The Developer’s Agreement shall be approved by City Council and filed with the applicable County prior to the filing of the final plat for the initial phase of the development.

11.06 Misrepresentation of facts of any kind shall result in revoking of the preliminary plat or and/or final plat.

Planning & Zoning Director, John Lettelleir was present to address the Council.

Citizens present to address the Council were:

Richard Caplain, against
Tracie Reveal, for
David Cisely, for
Paul Cauduro, for
Buddy Minnett, for
Jim Tupper, against
John Kelly, neutral
Denise Jenkins, against
Dave Arnuson, against
Curt Cochen, neutral
Dave Wilcox, for

There being no one else present to speak for or against the request, Deputy Mayor Pro-Tem Lafata moved to close the Public Hearing. Council member Felker seconded the Motion. Motion carried. Vote: 6-0.

Mayor Pro-Tem Maso moved to instruct staff to prepare an ordinance subject to

- Minimum of 1600 square feet homes
- Keeping the lots sizes the same: 4500 - SF4
4000 - SF5
- Duplexes removed
- 10% of townhomes in SF5, MF1 & 2 only – Not SF4
- Keeping the 90 foot right-of-way

Council Member Allen seconded the Motion. Motion carried. Vote: 4-2.
Opposed by Council member West who did not want the SF 4 zoning to be allowed in this ordinance, and Deputy Mayor Pro-Tem Lafata, who wanted the minimum square footage of lots to be higher.

12. Public Hearing: Zoning Case Z2002-0029. A request to amend Planned Development-128 to allow the additional use of Townhomes and to modify development standards to reduce the amount of open space, reduce building setbacks, and increase lot coverage required of a townhome development on 38.7+ acres on the west side of the Dallas North Tollway, 420± feet south of Stonebrook Parkway. Zoned Planned Development-128-Multifamily-2/Commercial-1. Neighborhood #22. Applicant(s): Texas Univest – Frisco, Ltd. Consider and act to instruct

staff to prepare an Ordinance on the above request. Tabled 2/4/03, 2/20/03, 3/18/03 , and 4/15/03. (Planning & Development)

A request to amend Planned Development-128 to allow the additional use of Townhomes and to modify development standards to reduce the amount of open space, reduce building setbacks, and increase lot coverage required of a townhome development on 38.7± acres on the west side of the Dallas North Tollway, 420± feet south of Stonebrook Parkway. Zoned Planned Development-128-Multifamily-2/Commercial-1. Neighborhood #22.

The Planning & Zoning Commission recommended approval subject to:

1. Tract 2 may be developed under the Townhome District (TH), as outlined in Ordinance No. 0011-01, as it currently exists or may be amended.

Deputy Mayor Pro-Tem Lafata moved to remove the item from the table. Council member Joyner seconded the motion. Motioned carried. Vote: 6-0.

Planning & Zoning Director John Lettelleir was present to address the Council. He stated that the reason this item has been tabled was so that City Staff could meet with adjacent homeowners.

Council member West moved to open the Public Hearing. Council member Allen seconded the Motion. Motion carried. Vote: 6-0.

Individuals present to address the Council:

Jeff Miles of D.R. Horton Homes - for
George Milburn – for, but save as many trees as possible
Patsy Perez – for, but save as many trees as possible
David Porter - for
Steve Tomplin - for

Council member Allen moved to close the public hearing. Council member West seconded the Motion. Motion carried. Vote: 6-0.

Planning & Zoning Director, John Lettelleir stated that he would be meeting with the his department, the Fire Department & Engineering to see if all departments were fine with the changes.

Mayor Pro-Tem Maso moved to instruct staff to prepare an ordinance subject to staff comments. Council member Joyner seconded the Motion. Motion carried. Vote: 6-0.

Mayor Pro-Tem Maso moved to take a break. Council member Felker seconded the motion.

Council member Felker moved to return from break. Council member West seconded the Motion. Motion carried. Vote: 4-0. Deputy Mayor Pro-Tem Lafata and Council member Allen were temporarily absent.

13. Continuation of Public Hearing: Specific Use Permit SUP03-0003. A request for a Specific Use Permit for a Child Day Care Center on 8.1± acres on the west side of Custer Road, 640+ feet south of Stonebridge Drive. Zoned Agricultural. Requested zoning is Planned Development-Single-Family-1. Neighborhood #15. Applicant(s): Little Red Wagon Private School. Tabled 05/20/03 (Planning)

Mayor Pro-Tem Maso moved to continue the public hearing on July 15. Council member West seconded the Motion. Motion carried. Vote: 5-0. Deputy Mayor Pro-Tem Lafata was temporarily absent.

14. Adoption of a Resolution authorizing the City Manager to enter into an Agreement for Construction Services for Eldorado Parkway Bridge. (Engineering)

City Manager George Purefoy asked the Council to table this item until the July 1st City Council Meeting to allow more time to work with the property owners. Council member West moved to table this item until July 1st. Council member Joyner seconded the Motion. Motion carried. Vote: 5-0. Deputy Mayor Pro-Tem Lafata was temporarily absent

15. Approval of the Design of Illuminated Street Name Signs. (Engineering)

Traffic Engineer Brian Moen was present to address the Council. He presented a slide show to display a variety of signs to demonstrate the type of signs the City is interested in.

Deputy Mayor Pro-Tem Lafata moved to approve the design of illuminated street name signs, with staff recommendations, amending the motion to add a face plate on both sides, using Fluoresco Illuminated Signs. Council member Joyner seconded the Motion. Motion carried. Vote: 6-0.

16. Public Hearing/First Hearing: Input regarding voluntary annexation of 33.338 acres located in the County of Denton, State of Texas, and being situated in the M.E.P. and P.R.R. Survey, Abstract 919. Requested by Land Advisors, Inc. (Case A2003-0017 Fesharaki Tract) (City Secretary)

Mayor Pro-Tem Maso moved to open the Public Hearing. There being no one else present to speak for or against the request, Council member West moved to close the Public Hearing.

Mayor Pro-Tem Maso moved to close the Public Hearing. Council member West seconded the Motion. Motion carried. Vote: 6-0.

City Attorney Richard Abernathy was present to answer any questions. He stated that the land was within the ETJ.

17. Appointment of one individual to serve a two-year term on the North Texas Municipal Water District Board of Directors. (City Secretary)

Council member Joyner nominated Lynn Shuyler. Council member Allen seconded the Motion. Motion carried. Vote: 6-0.

Council member Allen moved to close the nominations. Council member Joyner seconded the Motion. Motion carried. Vote: 6-0.

By acclamation, Lynn Shulyer was reappointed to the North Texas Municipal District Board of Directors for the City of Frisco. Vote: 6-0.

18. Adoption of a Resolution authorizing the City Manager to execute a Consulting Services Agreement by and between the City of Frisco and ROOF-TECH in the amount of \$14,550.00 for independent "Roof and Water Proofing Consulting" Services during the design and construction of the City of Frisco – Public Works Facility. Tabled 5/20/03, 06/03/03 (City Manager's Office/SY)

Deputy Mayor Pro-Tem Lafata moved to remove this item from the table. Council member Joyner seconded the Motion. Motion carried. Vote: 6-0.

Assistant City Manager Scott Young was present to address the Council. He stated the reason the City wants to hire a consultant is to help ensure that the design and structure of the roof is in the best interest of the City.

Deputy Mayor Pro-Tem Lafata moved to adopt **Resolution No. 03-06-123** therein authorizing the City Manager to enter into an Agreement with Roof-Tech for \$14,550.00 for independent "Roof and Water Proofing Consulting" Services during the design and construction of the City of Frisco – Public Works Facility. Council member West seconded the Motion. Motion carried. Vote: 6-0.

19. Approval of the organizational structure of Frisco Convention and Visitor's Board and Staff and instruct staff to prepare by-laws. (City Manager/JG)

Assistant City Manager Jason Gray was present to address the Council.

Deputy Mayor Pro-Tem Lafata moved to approve the organizational structure of the "Frisco Convention and Visitor's Board and Staff and to instruct staff to prepare the bylaws. Council member Allen seconded the Motion. Motion carried. Vote 6-0.

20. Adoption of a Resolution authorizing the City Manager to execute a Compromise and Settlement Agreement by and between the City of Frisco and the City of Frisco Board of Adjustment and Hari Vallurapalli and Veda Vallurapalli. (City Attorney's Office)

Mayor Pro-Tem Maso moved to adopt **Resolution No. 03-06-124** therein authorizing the City Manager to execute a Compromise and Settlement Agreement by and between the City of Frisco and the City of Frisco Board of Adjustment and Hari Vallurapalli and Veda Vallurapalli. Deputy Mayor Pro-Tem Lafata seconded the Motion. Motion carried. Vote: 6-0.

21. Repealing Ordinance Number 02-10-122 regarding the installation of Gas Piping Systems. Tabled 06/03/03 (City Attorney's Office)

22. Repealing Ordinance Number 02-10-123 regarding adding options for Lightning Suppression Systems. Tabled 06/03/03 (City Attorney's Office)

23. Adoption of an Ordinance repealing Ordinance Number 03-04-24 and adopting additional regulations for Flexible Corrugated Stainless Steel Piping Systems (CSST), copper and steel gas pipe systems. (City Attorney's Office)

City Attorney, Richard Abernathy asked the Council to **Re-table items 21 and 22 and table Item 23**. There has been a proposal submitted to the representative of CSST and they would like to have an opportunity to review it. The proposal is to get these items back on the next agenda, July 1st. Mayor Pro-Tem Maso moved to table again Items 21 and 22, and table Item 23. Council member West seconded the motion. Motion carried. Vote: 6-0.

24. Authorization to execute contract for sale between Frisco and Tom Vogt to purchase Block 103 of the Original Town of Frisco and authorize the City Manager to take all action necessary to close on the property by June 27, 2003. (City Manager)

City Manager George Purefoy was present to address the Council.

Council member Felker moved to authorize City Manager to execute a contract sale between Frisco and Tom Vogt to purchase Block 103 of the Original Town of Frisco and authorize the City Manager to take all action necessary to close on the property by June 27, 2003. Council member Joyner seconded the Motion. Motion carried. Vote: 6-0.

25. Authorization to execute contract for sale between Frisco and Burlington Northern Santa Fe Railroad to purchase 5.4605+ acres in W. T. Watkins Survey, Abstract No. 1004 and authorize the City Manager to take all action necessary to close on the property by June 27, 2003. (City Manager)

City Manager George Purefoy was present to address the Council.

Mayor Pro-Tem Maso moved to authorize City Manager to execute a contract for sale between Frisco and Burlington Northern Santa Fe Railroad to purchase 5.4605+ acres in W. T. Watkins Survey, Abstract No. 1004 and authorize the City Manager to take all action necessary to close on the property by June 27, 2003. Deputy Mayor Pro-Tem Lafata seconded the Motion. Motion carried. Vote: 6-0.

26. Governance Agenda:

Governance Reports. Discussion only, no formal action was taken.

27. Consider and act upon whether to direct staff to submit a written notice of appeal on behalf of the City Council to the Planning & Development Department, pursuant to Article IV, Section 1.07(C) of the Comprehensive Zoning Ordinance and/or Section 4.05 of the Subdivision Regulation Ordinance, regarding action taken by the Planning & Zoning Commission on any site plan or plat. Any written notice of appeal must be submitted to the Planning & Development Department.

Planning & Zoning Director, John Lettelleir was present to address the Council.

Discussion only, no formal action was taken.

28. City Council discussion with City Staff concerning any actions required by City Staff as a result of any item on tonight's agenda.

- Hickory Springs Neighborhood concerns: City Manager George Purefoy stated that he would assign Staff to look into this item. He also recommends that the City put up “No Through Traffic” signs.
- North Texas Municipal Water Board: The Council needs to appoint a board member in May to meet their requirement deadlines of May 31, 2004

29. Discussion on Governance Monitoring of present City Council Meeting.

Deputy Mayor Pro-Tem Lafata rated the council on the Governance Monitoring of the present City Council Meeting.

30. Adjourn.

There being no additional business, the meeting was adjourned at 10:53 pm.

Deputy Mayor Pro-Tem Lafata moved to adjourn the meeting. Council member Joyner seconded the Motion. Motion carried. Vote: 6-0.

E. Michael Simpson, Mayor

ATTEST:

Nan Parker, City Secretary